

DRAFT



Gaithersburg

A CHARACTER COUNTS! CITY

CITY OF GAITHERSBURG

MINUTES OF A REGULAR CITY COUNCIL MEETING

APRIL 18, 2006

A meeting of the Mayor and City Council was called to order at 7:30 p.m., Mayor Katz presiding. Council Members present: Alster, Edens and Marraffa. Council Members absent: Schlichting and Sesma. Staff present: City Manager Humpton, Assistant City Managers Felton and Tomasello, Finance and Administration Director Belton, Community Planning Director Schwarz, Planner Patula, Parks, Recreation and Culture Youth Services Director Smith, City Attorney Borten and Administrative Assistant Stokes.

I. PLEDGE OF ALLEGIANCE

The Pledge was led by Assistant City Manager Felton, Gaithersburg, Maryland.

II. INVOCATION

The invocation was led by the Rick Price, First Church of Christ.

III. APPROVAL OF MINUTES

Motion was made by Council Member Edens, seconded by Council Member Alster, that the minutes of the Mayor and Council meeting held April 3, 2006, be approved.

Vote: 3-0

IV. CONSENT ITEM

Resolution of the Mayor and City Council Authorizing the City Manager to Purchase a Ramp Structure for the Skate Park

This resolution authorized the City Manager to award a contract to purchase the above from American Ramp Company, Inc., 601 McKinley Avenue, Joplin, Missouri 64801, in the amount of Twenty-Two Thousand Six Hundred Fifty-Five Dollars (\$22,655); said funds to be expended from the Capital Improvements Budget.

Motion was made by Council Member Marraffa, seconded by Council Member Edens, that the Consent Agenda (Resolution No. R-36-06), be approved.

Vote: 3-0

V. FROM THE MAYOR AND CITY COUNCIL/ANNOUNCEMENTS**Council Member Marraffa**

1. Wished all a belated Passover and Easter Holiday.
2. Invited the community to participate in the "Get Up, Get Out and Get Fit" event on Saturday, April 29, 2006, at the City's 5K fitness walk celebrating programs, parks and playgrounds.

Council Member Alster

Referred to Rockville's proposed ordinance to improve the competition for cable and internet service. Assistant City Manager Tomasello responded to the inquiry stating that Rockville did intend to pass a resolution asking Verizon to build out their broadband service, which was declined because of construction fees for such service in that area. He further stated that he and Mayor Katz attended a meeting with Verizon and questioned when a broadband rollout will occur in Gaithersburg communities. Verizon indicated that the City is in their plans for the near future.

Mayor Katz

1. Announced the City will conduct a joint work session on Monday, April 24, 2006, to receive an update on Montgomery County's proposed Greater Shady Grove Transportation Management District that would include portions of the City of Gaithersburg and discuss the proposed Casey East Plan, Z-301 and SDP-05-003, requesting a change from the I-3 Zone to the MXD Zone on approximately 40.10 acres of land, known as Casey East.
2. Stated that April 20, 2006, 5 p.m. is the City's deadline for submission of letters of interest for both the alternate Planning Commission and Board of Appeals vacancy.

VI. FROM THE CITY MANAGER

- **Budget Public Hearing and Work Sessions**

Announced the City will conduct a budget public hearing on May 15, 2006, and a budget work session on Monday, May 22, and if needed, on May 24. The budget work sessions will be held at Casey Community Center, 7 p.m.

RECESSED THE MAYOR AND COUNCIL MEETING AT 7:39 P.M.
AND RECONVENED AT 7:46 P.M.

VII. ORDINANCES AND RESOLUTIONS**1. Resolution for Financial Audit Services for the City of Gaithersburg**

This resolution authorized the City Manager to enter into a contract with Clifton Gunderson, LLP, Centerpark I, 4041 Power Mill Road, Suite 410, Calverton, Maryland 20705, for the above services for five fiscal years 2006 (June 30, 2006) through 2010 (June 30, 2010).

Motion was made by Council Member Alster, seconded by Council Member Edens, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR FINANCIAL AUDIT SERVICES FOR THE CITY OF GAITHERSBURG (Resolution No. R-37-06), be approved.

Vote: 3-0

2. Resolution to Grant a Sewer Easement to North Gaithersburg Investment (NGI), LLC

This resolution authorized the City Manager to grant the requested sewer easement and right-of-way to NGI, LLC for such use and purpose as set forth in the Easement Agreement.

Motion was made by Council Member Edens, seconded by Council Member Alster, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL AUTHORIZING THE CITY MANAGER TO GRANT A SEWER EASEMENT TO NORTH GAITHERSBURG INVESTMENT, LLC (Resolution No. R-38-06), be approved.

Vote: 3-0

3. Resolution to Withdraw Application SDP-05-006, Washingtonian South Ten Property

This resolution accepted and granted the request of the applicant The Morgan Group, Inc., to withdraw the above application.

Motion was made by Council Member Marraffa, seconded by Council Member Edens, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL OF GAITHERSBURG ACCEPTING THE REQUEST TO WITHDRAW WITHOUT PREJUDICE THE APPLICATION FOR THE WASHINGTONIAN SOUTH TEN PROPERTY, KNOWN AS SCHEMATIC DEVELOPMENT PLAN APPLICATION SDP-05-006, PRESENTLY ZONED MXD, TO AMEND THE SCHEMATIC DEVELOPMENT PLAN TO PERMIT CONSTRUCTION OF 348 MULTI-FAMILY CONDOMINIUM DWELLING UNITS; 202,200 SQUARE FEET OF OFFICE SPACE; AND 52,500 SQUARE FEET OF OFFICE/RETAIL/RESTAURANT USE; ALL WITH STRUCTURED PARKING (Resolution No. R-39-06), be approved.

Vote: 3-0

4. Resolution Awarding Matching Grants

This resolution authorized the City Manager to award matching grants to Diamond Farm Homes Corp. for signage in the amount of (\$4,400) and to Quince Orchard Park for landscaping in the amount of \$1,150,000), upon determining that the projects are completed as proposed, in the total amount of Five Thousand Five Hundred Fifty Dollars (\$5,550); said funds to be expended from the Capital Improvements Budget.

Motion was made by Council Member Alster, seconded by Council Member Edens, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL AWARDING MATCHING GRANTS TO DIAMOND FARM HOMES CORPORATION AND QUINCE ORCHARD PARK COMMUNITY ASSOCIATION (Resolution No. R-40-06), be approved.

Vote: 3-0

VIII. FROM STAFF**Assistant City Manager Felton**

Reported that the proposed Crown Farm Annexation (X-182) went before the County Council. He stated that The Planning Housing Economic and Development (PHED) Committee recommended to the County Council, approval of the annexation. He further stated that County Council action is anticipated on Tuesday, April 25, 2006.

City Attorney Borten

Requested a motion from the Historic District Commission to reconvene and amend their motion denying historic designation of HD-31 based on findings and criteria. Denial of the historic designation allows the City Manager to issue the requested demolition permit.

RECESSED THE MAYOR AND COUNCIL MEETING AT 7:52 P.M.
AND RECONVENED AT 7:54 P.M.

IX. ADJOURNMENT

There being no further business to come before this session of the City Council, the meeting was duly adjourned at 7:55 p.m.

Respectfully submitted,

Doris R. Stokes

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Administrative Assistant